REMARKS

Claims 1, 5, 6 and 8 are pending in this application. By this Amendment, claims 1, 5, 6 and 8 are amended; and claims 2-4, 7 and 9 are canceled. No new matter is added. Reconsideration in view of the foregoing amendments and the following remarks is respectfully requested.

I. Claim Rejections Under 35 U.S.C. §112

The Office Action rejects claims 1-9 under 35 U.S.C. §112 for being indefinite. Specifically, the Office Action rejects the claims for the use of the term "prism per second." The claims have been amended to substitute the term "prism diopter per second" in lieu of prism per second. Claim 1 has been further amended to clarify that the rotation speed of the pulse motor causes the change in prism power at the rate claimed in the last clause of claim 1.

II. Claim Rejections Under 35 U.S.C. §102(b)

The Office Action rejects claims 1-9 under 35 U.S.C. §102(b) over U.S. Patent No. 4,496,226 to Augusto et al. (hereinafter "Augusto"). Applicant respectfully traverses this rejection.

The Office Action asserts that Augusto teaches an ophthalmic apparatus with a rotary prism which is driven by a stepping motor to change the prism degree and further teaches a means for controlling the prisms so that the full prism range configuration can be used (see e.g., col. 9, lines 43-52, col. 10, lines 4-15 and lines 59-67). The teaching of Augusto appears to be directed to precisely positioning the optical elements. In col. 4, lines 53-56, Augusto states "With this arrangement, the optical element can be precisely stopped at its reset or zero position without the use of very sensitive and expensive encoders." Augusto does not teach, disclose or suggest a method for changing the prism power of the rotary prisms so that the prism power perceived by the examinee's eye appears to change smoothly and slowly.

In contrast, claim 1 recites an optometric apparatus which has a "rotation transmitting mechanism, including a gear mechanism having a predetermined speed reducing ratio, which transmits the rotation of the pulse motor to the rotary prism while reducing a rotation speed of the pulse motor so as to reduce a rotation step angle of the rotary prism with respect to a rotation step angle of the pulse motor so that a change step of the prism power is 0.05 prism diopter or less to make the prism power to be added to the eye appear to smoothly change." Claim 1 further recites "control means for driving the pulse motor to rotate at a speed of 5 to 100 pulses/sec. when the control means receives the rotation start command signal until when the control means receives the rotation stop command signal so that a change speed of the prism power is 0.1 to 1.0 prism diopter/sec. to make the prism power to be added to the eye to slowly change." The combination of these features makes the change in prism power to appear to slowly and smoothly change to the examinee's eye. Claim 8 recites similar features.

Augusto does not teach, disclose or suggest the features claimed in this application, as discussed above. In fact, Augusto appears to teach that the single step of a stepping motor would produce a minimum change of prism power of 0.5 diopters (see col. 11, lines 31-35). Further, Augusto does not disclose or suggest a method for controlling the pulse motor to make the prism power appear to smoothly change, or any other teaching disclosed to controlling the rate of change of prism power to an examinee's eye.

For at least this reason, claims 1, 5, 6 and 8 are patentably distinct from the applied prior art. Reconsideration and withdrawal of the rejection are respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 5, 6 and 8 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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